

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a) of this section relating to the requirement that the Chairman of the Commission transmit biennial reports to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 16th item on page 183 of House Document No. 103-7.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2506, 3102 of this title.

§ 2505. Special advisory committees; membership; reimbursement

The Commission may establish special advisory committees to consult with and make recommendations to it, from among the leading historians, political scientists, archivists, librarians, and other specialists of the Nation. Members of special advisory committees shall be reimbursed for transportation and other expenses on the same basis as members of the Commission.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1294.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(e) (June 30, 1949, ch. 288, title V, § 503, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 28, 1964, Pub. L. 88-383, 78 Stat. 335).

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2506. Records to be kept by grantees

(a) Each recipient of grant assistance under section 2504 of this title shall keep such records as the Archivist of the United States prescribes, including records which fully disclose the amount and disposition by the recipient of the proceeds of the grants, the total cost of the project or undertaking in connection with which funds are given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and any other records as will facilitate an effective audit.

(b) The Archivist and the Comptroller General of the United States or their authorized representatives shall have access for the purposes of audit and examination to books, documents, papers, and records of the recipients that are pertinent to the grants received under section 2504 of this title.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1294; Pub. L. 98-497, title I, § 107(b)(11), Oct. 19, 1984, 98 Stat. 2287.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(g) (June 30, 1949, ch. 288, title V, § 503, as added Sept. 5, 1950, ch. 849,

§ 6(d), 64 Stat. 583, and amended July 28, 1964, Pub. L. 88-383, 78 Stat. 335).

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-497 substituted “Archivist of the United States” for “Administrator of General Services”.

Subsec. (b). Pub. L. 98-497 substituted “Archivist” for “Administrator”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

[§ 2507. Repealed. Pub. L. 98-497, title I, § 107(b)(12)(A), Oct. 19, 1984, 98 Stat. 2287]

Section, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1295, related to report that Administrator is required to make annually to Congress.

EFFECTIVE DATE OF REPEAL

Repeal effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as an Effective Date of 1984 Amendment note under section 2102 of this title.

CHAPTER 27—ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

Sec.

- 2701. Advisory Committee on the Records of Congress.
- 2702. Membership; chairman; meetings.
- 2703. Functions of the Committee.
- 2704. Powers of the Committee.
- 2705. Compensation and travel expenses.
- 2706. Administrative provisions.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 25 section 450j.

§ 2701. Advisory Committee on the Records of Congress

(a) There is established the Advisory Committee on the Records of Congress (hereafter in this chapter referred to as the Committee).

(b) The Committee shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.), except that the Committee shall be of permanent duration, notwithstanding any provision of section 14 of the Federal Advisory Committee Act.

(Added Pub. L. 101-509, title IV, § 1(d)(1), Nov. 5, 1990, 104 Stat. 1417.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (b), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

Another section 1 of title IV of Pub. L. 101-509, 104 Stat. 1421, amended section 8902 of Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 2701, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1295, established Federal Records Council and set forth composition, compensation, etc., of such Council, prior to repeal by Pub. L. 95-378, § 2(a), Sept. 22, 1978, 92

Stat. 723. Section 1 of Pub. L. 95-378 abolished the Federal Records Council.

§ 2702. Membership; chairman; meetings

(a)(1) The Committee shall consist of the eleven members including—

- (A)(i) the Secretary of the Senate;
- (ii) the Clerk of the House of Representatives;
- (iii) the Archivist of the United States;
- (iv) the Historian of the Senate; and
- (v) the Historian of the House of Representatives; and

(B) six members of whom one shall be appointed by each of the following:

- (i) the Speaker of the House of Representatives;
- (ii) the Minority Leader of the House of Representatives;
- (iii) the Majority Leader of the Senate;
- (iv) the Minority Leader of the Senate;
- (v) the Secretary of the Senate; and
- (vi) the Clerk of the House of Representatives.

(2) Each member appointed under paragraph (1)(B) shall have knowledge or expertise in United States history, archival management, publishing, library science, or use of legislative records.

(b) The Secretary of the Senate shall serve as Chairman during the two-year period beginning on January 1, 1991, and the Clerk of the House of Representatives shall serve as Chairman during the two-year period beginning on January 1, 1993. Thereafter, such members shall alternate serving as Chairman for a term of two years.

(c)(1) Members of the Committee referred to in subsection (a)(1)(A) shall serve only while holding such offices. Members appointed to the Committee under subsection (a)(1)(B) shall serve for a term of two years, and may be reappointed without limitation. The initial appointments for such terms shall begin on January 1, 1991.

(2) Any vacancy on the Committee shall not affect the powers of the Committee. Any vacancy in an appointed position on the Committee shall be filled in the same manner in which the original appointment was made.

(d)(1) No later than thirty days after the date on which the first session of the 102d Congress begins, the Committee shall hold its first meeting. Thereafter, the Committee shall meet semi-annually or at the call of a majority of its members.

(2) Seven members of the Committee shall constitute a quorum, but a lesser number may hold hearings.

(Added Pub. L. 101-509, title IV, §1(d)(1), Nov. 5, 1990, 104 Stat. 1417.)

REFERENCES IN TEXT

The date on which the first session of the 102d Congress begins, referred to in subsec. (d)(1), is Jan. 3, 1991.

§ 2703. Functions of the Committee

The Committee shall—

(1) review the management and preservation of the records of Congress;

(2) report to and advise the Congress and the Archivist of the United States on such management and preservation; and

(3)(A) no later than December 31, 1991, conduct a study and submit a report to the Congress on—

(i) the effect any transfer of records of the National Archives and Records Administration from facilities located in Washington, D.C., to any location outside of Washington, D.C., shall have on the management and preservation of the records of Congress; and

(ii) the five year plan for the management and preservation of the records of Congress; and

(B) no later than December 31, 1995, conduct a study to update the report submitted under subparagraph (A)(ii), and submit a report to the Congress.

(Added Pub. L. 101-509, title IV, §1(d)(1), Nov. 5, 1990, 104 Stat. 1418.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2704, 2706 of this title.

§ 2704. Powers of the Committee

(a) For purposes of carrying out the duties referred to under section 2703, the Committee or, on the authorization of the Committee, any subcommittee or member thereof, may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as is appropriate.

(b) The Committee may secure directly from any department or agency of the United States such information as the Committee may require to carry out the duties referred to under section 2703. Upon request of the Chairman of the Committee, the head of such department or agency shall furnish such information to the Committee.

(Added Pub. L. 101-509, title IV, §1(d)(1), Nov. 5, 1990, 104 Stat. 1418.)

§ 2705. Compensation and travel expenses

A member of the Committee may not be paid compensation for service performed as a member of the Committee. However, members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Committee.

(Added Pub. L. 101-509, title IV, §1(d)(1), Nov. 5, 1990, 104 Stat. 1418.)

§ 2706. Administrative provisions

(a) Upon request of the Committee, the head of any Federal agency is authorized to detail to the Committee, on a nonreimbursable basis, any of the personnel of such agency to assist the Committee in carrying out the duties referred to under section 2703 and such detail shall be without interruption or loss of civil service status or privilege.

(b) For purposes of supporting the Committee, the Archivist may obtain the services of experts and consultants in accordance with the provi-

sions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the minimum annual rate of basic pay payable for GS-16 of the General Schedule under section 5332 of such title.

(Added Pub. L. 101-509, title IV, §1(d)(1), Nov. 5, 1990, 104 Stat. 1418.)

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

CHAPTER 29—RECORDS MANAGEMENT BY THE ARCHIVIST OF THE UNITED STATES AND BY THE ADMINISTRATOR OF GENERAL SERVICES

Sec.	
2901.	Definitions.
2902.	Objectives of records management.
2903.	Custody and control of property.
2904.	General responsibilities of Administrator. ¹
2905.	Establishment of standards for selective retention of records; security measures.
2906.	Inspection of agency records.
2907.	Records centers and centralized microfilming services.
2908.	Regulations.
2909.	Retention of records.
2910.	Preservation of Freedmen's Bureau records.

AMENDMENTS

2000—Pub. L. 106-444, §2(b), Nov. 6, 2000, 114 Stat. 1929, added item 2910.

1984—Pub. L. 98-497, title I, §107(b)(18)(A), Oct. 19, 1984, 98 Stat. 2290, inserted "THE ARCHIVIST OF THE UNITED STATES AND BY THE" in chapter heading.

1976—Pub. L. 94-575, §2(b), Oct. 21, 1976, 90 Stat. 2726, substituted "Objectives of records management" for "Records management, surveys, and reports" in item 2902, "General responsibilities of Administrator" for "Records management by Administrator; duties generally" in item 2904, "Inspection of agency records" for "Personal inspection and survey of records" in item 2906, "Records centers and centralized microfilming services" for "Records centers for storage, process, and servicing of records" in item 2907, reenacted without change items 2901, 2903, 2905, 2908, and 2909, and struck out item 2910 "Final authority of Administrator in records practices".

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2115, 2116, 3107, 3504 of this title; title 25 section 450j; title 28 section 594.

§ 2901. Definitions

As used in this chapter, and chapters 21, 25, 31, and 33 of this title—

(1) the term "records" has the meaning given it by section 3301 of this title;

(2) the term "records management" means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve ade-

quate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations;

(3) the term "records creation" means the production or reproduction of any record;

(4) the term "records maintenance and use" means any activity involving—

(A) location of records of a Federal agency;

(B) storage, retrieval, and handling of records kept at office file locations by or for a Federal agency;

(C) processing of mail by a Federal agency; or

(D) selection and utilization of equipment and supplies associated with records and copying;

(5) the term "records disposition" means any activity with respect to—

(A) disposal of temporary records no longer necessary for the conduct of business by destruction or donation;

(B) transfer of records to Federal agency storage facilities or records centers;

(C) transfer to the National Archives of the United States of records determined to have sufficient historical or other value to warrant continued preservation; or

(D) transfer of records from one Federal agency to any other Federal agency;

(6) the term "records center" means an establishment maintained and operated by the Archivist or by another Federal agency primarily for the storage, servicing, security, and processing of records which need to be preserved for varying periods of time and need not be retained in office equipment or space;

(7) the term "records management study" means an investigation and analysis of any Federal agency records, or records management practices or programs (whether manual or automated), with a view toward rendering findings and recommendations with respect thereto;

(8) the term "inspection" means reviewing any Federal agency's records or records management practices or programs with respect to effectiveness and compliance with records management laws and making necessary recommendations for correction or improvement of records management;

(9) the term "servicing" means making available for use information in records and other materials in the custody of the Archivist, or in a records center—

(A) by furnishing the records or other materials, or information from them, or copies or reproductions thereof, to any Federal agency for official use, or to the public; or

(B) by making and furnishing authenticated or unauthenticated copies or reproductions of the records or other materials;

(10) the term "unauthenticated copies" means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence;

(11) the term "National Archives of the United States" means those official records which have been determined by the Archivist

¹Section catchline amended by Pub. L. 98-497 without corresponding amendment of chapter analysis.